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ORIGINAL

OPEN MEETING AGENDA ITEM

AUG 21 2013

AUG 15 2013

TO:

Arizona Public Service
PO Box 53933, ST. 3200
Phoenix, AZ 85072-3933

E-00000C-11-0328

FROM:

John Adams

Mailing Address:

[REDACTED]
Payson, AZ 85547

Physical Address:

[REDACTED]
Payson, AZ 85541

DATE:

08/08/2013

PAGES:

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RE:

**NOTICE OF NO CONSENT TO TRESPASS AND/OR CONDUCT
SURVEILLANCE: NOTICE OF LIABILITY**

Arizona Corporation Commission

DOCKETED

AUG 27 2013

DOCKETED BY

nr

AZ CORP COMMISSION
DOCKET CONTROL

2013 AUG 27 P 4:45

RECEIVED

Dear Arizona Public Service (APS) and all agents, officers, employees, contractors and interested Parties:

Be advised, I want to keep my safe, reliable analog meter, I hereby deny you and all other parties consent of installation and use of all such devices on the above property. Installation and use of any activity-monitoring device, including a Smart Meter is hereby refused and prohibited.

Under the protections in the 4th amendment to the Constitution of the United States of America, which is the supreme law of the land, informed consent is legally required for installation of any surveillance device and any device that will collect and transmit private and personal data of undisclosed and unauthorized parties for undisclosed and unauthorized purposes. The text of the 4th Amendment of the Constitution is cited immediately below:

The 4th Amendment to the Constitution:

The right of the people to be secured in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be search, and the person or things to be seized.

Authorization for sharing of personal and private information may only be given by the originator and subject of that information. Such authorization is hereby denied and refused with regard to the above property and its occupants.

“Smart Meters” violate constitutional and state laws and cause endangerment to residents by the following factors:

- They individually identify electrical devices inside the home and record when they are operated, causing invasion of privacy.
- They monitor household activity and occupancy in violation of constitutional rights and domestic security.
- They transmit wireless signals that may be intercepted by unauthorized and unknown parties. Those signals can be used to monitor behavior and occupancy and they can be used by criminal to aid criminal activity against the occupants.
- Data about occupant’s daily habits and activities are collected, recorded and stored, by these devices, in permanent databases which are accessed by parties not authorized or invited to know and share that private data by those whose activities were recorded.
- Those with access to the Smart Meter databases can review a permanent history of household activities complete with calendar and time-of -day metrics to gain a highly invasive and detailed view of the lives of the occupants. This is a clear violation of the 4th Amendment of the Constitution of the United States of America.
- Those data bases may be shared with, or fall into the hands of criminals, blackmailers, unauthorized law enforcement, private hackers of wireless transmissions, power company employees, and other unidentified parties who may act against the interests of the occupants under metered surveillance.
- “Smart Meters” are, by definition, surveillance devices which violate Federal and State wiretapping laws by recording and storing databases of private and personal activities and behaviors without the consent or knowledge of those people who are monitored.
- It is possible for example, with analysis of certain “Smart Meter” data, for unauthorized and distant parties to determine medical conditions, sexual activities, physical locations of persons within the home, vacancy patterns and personal information and habits of the occupants.
- Your company has not adequately and accurately disclosed the particular recording and transmission capabilities of the Smart Meter, or the extent of the data that will be recorded, stored and shared, or the purposes to which the data will and will not be put.
- Electromagnetic and Radio Frequency energy contamination for Smart Meters exceeds allowable safe and healthful limits of domestic environments, as determined by the EPA and other scientific entities. (Due to conflict of interest, I do not trust APS’s assertions regarding safety standards.)

It is none of your business when:

- I go to bed or when I get up
- When I eat
- How long I watch T.V.
- When I work in my shop
- When I get up at night to go to the bathroom
- Or let my dog out.

Will your "Smart Meters" lower and then stabilize the voltage. I don't think so. As for your penalties for not having a "Smart Meter", we will see.

Therefore, I hereby forbid, refuse and deny consent (express or implied) of any installation and use of any monitoring, eavesdropping, and surveillance devices on my property, my place of residence and my place of occupancy. This applies to and includes "Smart Meters" and activity monitoring devices of any and all kinds.

You are hereby advised or otherwise given written, certified notice that any attempt to install any such device directed at me, other occupants, my property or residence will constitute trespass, stalking, wiretapping and unlawful surveillance and endangerment of health and safety, all unconstitutional and all prohibited and punishable by law through criminal and civil complaints.

All persons, government agencies and private organizations responsible for installing or operation monitoring devices directed at or recording my activities, which I have not specifically authorized in writing, will be fully liable for any violations, intrusion, harm or negative consequences caused or made possible by those devices whether those negative consequences are justified by "law" or not.

This is legal notice. After this delivery the liabilities listed above may not be denied or avoided by parties named an implied in this notice. Civil Servant immunities and protections do not apply to the installation of Smart Meters due to the criminal violations they represent.

Notice to principal is notice to agent and notice to agent is notice to principal. All rights reserved.

Sincerely,



John Adams

Payson, AZ 85541

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- CC:**
- 1) Arizona Corporation Commission
Attn: Consumer Services
1200 W. Washington St.
Phoenix, AZ 85007**
 - 2) Arizona Public Service
400 W. Longhorn Rd.
Payson, AZ 85541**
 - 3) U.S. Senator John McCain
2201 E. Camelback Road
Phoenix, AZ 85016**
 - 4) U.S. Senator Jeff Flake
2200 E. Camelback Road
Phoenix, AZ 85016**
 - 5) Attorney General
1275 W. Washington St.
Phoenix, AZ 85007**
 - 6) Governors Office
1700 W. Washington, St.
Phoenix, AZ 85007**